

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 24-CR-20255-WPD/HUNT

UNITED STATES OF AMERICA

v.

**PATRICK BOYD and
CHARLES BOYD,**

Defendants.

_____ /

UNITED STATES' NOTICE OF INTENT TO UTILIZE EXPERT TESTIMONY

Comes now, the United States of America, through its undersigned counsel, and files this Notice of Intent to Utilize Expert Testimony. Pursuant to Rule 16(a)(1)(G) of the Federal Rules of Criminal Procedure, the government provides notice of its intent to call a representative of the Centers for Medicare and Medicaid Services ("CMS")¹ in its case-in-chief at trial as set forth by Rules 702, 703, and 705 of the Federal Rules of Evidence. The substance and limited scope of this witness's testimony is described below.

The government's CMS witness will testify about coverage requirements of the Medicare program as relevant to the charged conduct and conspiracy period in this case, based on his or her training and experience working at or on behalf of CMS. The expert witness's testimony will be limited to the following:

¹ The United States is confirming the availability of an employee or contractor of CMS for the current trial date to provide this non-controversial testimony. The United States will identify this individual as soon as possible and provide the defense the required disclosures under Rule 16(a)(1)(G) of the Federal Rules of Criminal Procedure promptly upon CMS's identification of an available witness.

- 1) Medicare would not reimburse pharmacies for prescription drugs, including HIV medication, had it known that (a) the drugs were not acquired legitimately through the regulated supply chain (*i.e.*, were diverted), and/or (b) the prescription drugs were accompanied by falsified T3s/pedigrees designed to conceal the illicit origin of the drugs; and
- 2) The Government may ask this witness limited hypotheticals based on the evidence admitted at trial in this case.

Dated: July 21, 2025

Respectfully submitted,

HAYDEN P. O'BYRNE
UNITED STATES ATTORNEY

LORINDA LARYEA, ACTING CHIEF
U.S. DEPARTMENT OF JUSTICE
CRIMINAL DIVISION, FRAUD SECTION

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CERTIFICATE OF SERVICE

I, Alexander Thor Pogozeleski, hereby certify that on July 21, 2025, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF.

/s/ Alexander Thor Pogozeleski
Alexander Thor Pogozeleski